
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kryuchkov et al.

Application No.: 10/674,884

Filed: September 29, 2003

Title: 3-D REELS AND 3-D WHEELS IN A GAMING
MACHINE

Attorney Docket No IGT1P085/P-
557 CIP

Examiner: Rendon, Christian E

Group: 3714

Confirmation no. 9225

CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on July 18, 2008.

Signed: /Chereyce Brown/
Chereyce Brown

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22314

Dear Sir:

Applicants hereby request review of the final rejections in the above-identified application. Review is requested for the reasons stated in the accompanying five-page Remarks Section.

This Request is being filed with a Notice of Appeal.

No amendments are being filed with this Request

REMARKS

From the office communication of February 20, 2008,
Claims 39, 41-45, 48-50, 54-57, 60-64, 66, 75-84 and 86-90 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis (WO 02/32521 A1).

Claims 51-53, 58-59, 65 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis (WO 02/32521 A1) in view of Gauselmann (US 2004/0048657 A1).

Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis (WO 02/32521 A1) in view of Abbott (US 7,179,166 B1).

Claims 39 and 75 are independent claims with similar limitations.

Claim 39 recites, “in a gaming machine including a master gaming controller, a display device and a memory device, a method of generating a game of chance, the method comprising: receiving a wager for the game of chance controlled by the master gaming controller on the gaming machine wherein the gaming machine is capable of receiving indicia of credit for the wager from an input device coupled to the gaming machine and outputting indicia of credit from an output device coupled to the gaming machine; determining randomly a final state on each of a plurality of virtual reel strips;

for each virtual reel strip,

a) determining a sequence of symbols to display from the virtual reel strip wherein each of the sequence of symbols comprises at least one of i) a number of symbols prior to the final state on the virtual reel strip; ii) a number of symbols after the final state on the virtual reel strip; or iii) combinations thereof;

b) drawing the sequence of symbols over time on a surface comprising a planar rectangular surface or a curved portion of an outside of a cylinder defined in a 3-D gaming environment, said drawing comprising;

i) generating at least one of the planar rectangular surface or the curved portion of the outside of the cylinder at a first position in the 3-D gaming environment; wherein the planar rectangular surface or the curved portion of the outside of the cylinder is divided into a number of segments and wherein the number of segments is less than a total number of segments associated with the virtual reel strip;

ii) selecting a first subset of symbols from the sequence of symbols to draw in the segments of the planar rectangular surface or the curved portion of the outside of the cylinder;

iii) drawing the first subset of symbols in the segments of the planar rectangular surface or in the segments of the curved portion of the outside of the cylinder;

iv) moving the planar rectangular surface or the curved portion of the outside of the cylinder including the first subset of the sequence of symbols from the first position to a second position in the 3-D gaming environment

v) generating the planar rectangular surface or the curved portion of the outside of the cylinder at the first position in the 3-D gaming environment;

vi) selecting a second subset of symbols from the sequence of symbols to draw in the segments of the planar rectangular surface or the curved portion of the outside of the cylinder;

vii) drawing the second set of symbols in the segments of the planar rectangular surface or the segments of the curved portion of the outside of the cylinder a second subset of the sequence of symbols;

viii) moving the planar rectangular surface or the curved portion of the outside of the cylinder including the second subset of the sequence of symbols from the first position to the second position in the 3-D gaming environment; wherein the first subset and the second subset are defined so that when a plurality of 2-D images are rendered from the 3-D gaming environment to capture the movements of the planar rectangular surface or the curved portion of the outside of the cylinder are viewed on the display screen, the symbols drawn on the planar rectangular surface or drawn on the curved portion of the outside of the cylinder appear to enter and to leave the display screen in an order specified by the sequence of symbols determined for each virtual reel strip;

rendering the plurality of two-dimensional (2-D) images comprising the surfaces drawn with the symbols from the virtual reel strips as a game outcome presentation for the game of chance wherein information used to generate the surfaces and the 3-D gaming environment is stored in the memory device on the gaming machine; and displaying the one or more rendered 2-D images to the display device on the gaming machine wherein the 2-D images display the sequence of symbols from each of the virtual reel strips.

Office communication recites that all of the above limitations in claim 39 are taught in the following sections of Ellis (Page 2, Paragraphs 2 and 3 and FIG. 2 of Ellis)

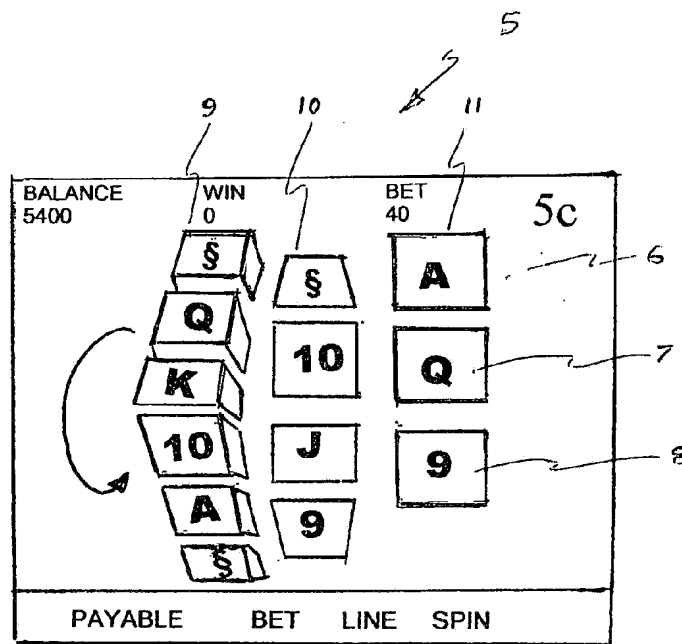
Page 2, Paragraph 2 or Ellis,

More particularly the invention provides an electronic novelty game of chance in which symbols and/or shapes carrying the symbols morph (change) from two dimensions prior to spinning to three dimensions while spinning. This gives the impression to the player that the symbols are in space and out of the two dimensional plane of the display on which the symbols are presented.

Page 2, Paragraph 3 of Ellis,

In one broad form the present invention comprises; an electronic game for interactive play on a screen of a slot machine, gaming machine, computer or the like wherein the game comprises a display having a plurality of icons, symbols, numbers or the like, displayed in a plurality of rows and columns initially in two dimensions; wherein said rows and columns combine to form a predetermined two dimensional shaped display such as a square, rectangle, triangle, wherein each said rows includes one or more said symbols, letters, icons, numbers, whereupon, when one or more said columns spin in a generally vertical plane responsive to a spin command and at the completion of said spinning in said vertical plane and contingent upon a required result, at least one said rows are capable of spinning in a generally horizontal plane; wherein at the conclusion of said spinning of said rows a player obtains a random symbol or combination of said symbols, letters, numbers, icons, the combination being compared to a predetermined pay or win table or data base to determine the outcome of said game.

FIG. 2 of Ellis,



Game Screen

Considering the sections in Ellis cited in the Office Communication or the reference as a whole, Applicant can't see how Ellis can be said to anticipate each and every limitation of independent claims 39 and 75. Ellis simply doesn't provide enough detail to make such a determination and the Office communication doesn't point out where each every limitation of the claims is taught. Therefore, for at least the reasons above, Applicant believes the rejection under 102(e) is improper and the rejection should be withdrawn.

Examiner relies on Gauselmann to teach configuring spinning time or speed of the reels and Abbott to teach a stop button. The combination of Ellis and Gauselmann or Ellis and Abbott doesn't overcome the deficiencies recited with respect to the 102(e) rejection. In view of the foregoing, it is respectfully submitted that the rejections of all pending claims should be withdrawn.

CONCLUSION

Applicants respectfully submit that all claims are in proper form and condition for patentability, and request a Notification of Allowance to that effect. If any fees are due in connection with this Response to Office Action or for this application in general then the Commissioner is hereby authorized to charge such fees to Deposit Account No. 504480, referencing Docket No. IGT1P085. The Examiner is respectfully requested to contact the undersigned attorney at the telephone number below with any questions or concerns relating to this document or application.

Respectfully submitted,
Weaver Austin Villeneuve & Sampson LLP

/David P. Olynick/
David P. Olynick
Reg. No.: 48,615

P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100